

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Anthony Bruce Pike

U.S. Application Serial No.: 10/561,752

Filing Date: January 26, 2006

Int'l Application No.: PCT/GB2004/002740

**CERTIFICATE OF ELECTRONIC
TRANSMISSION**

I hereby certify that this application is being filed today
with the U.S. Patent and Trademark Office via electronic
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On: 2-27-09

By: *Carne Lewis*
Carne Lewis

Title: *MEDICAL PROTECTION SHEETING*

Group Art Unit: 3772

Attorney Docket No.: 16-978P/US

Examiner: Keri Jessica Nicholson

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RULE 132 DECLARATION

Sir:

Anthony Bruce Pike, declares and states that:

1. I am the inventor of the invention or inventions disclosed in pending United States patent Application Serial Number 10/561,752 filed with the United States Patent Office on January 26, 2006 entitled *MEDICAL PROTECTION SHEETING* (hereinafter "the '752 Application") and the applications from which the '752 Application claims priority, namely, International Patent Application Serial Number

PCT/GB04/02740 filed June 24, 2004 and priority Great Britain Application Serial Number GB 0314659.4 filed June 24, 2003 (hereinafter "Priority Date"). The aforementioned applications and inventions disclosed therein will hereinafter collectively be referred to as "the or my Invention".

2. I am currently employed as Technical Director for APA Parafricta Limited, the assignee of the '752 Application and I am authorized to make this Declaration on behalf of the assignee APA Parafricta Limited and in fact, making this Declaration both as the Applicant/Inventor and on behalf of the assignee.

3. I have no personal knowledge that the materials disclosed in the '752 Application identified by DuPont product numbers T743, T749, and 98Wext/4 (hereinafter collectively "DuPont Products") were commercially available in products related to the my Invention prior to the Priority Date

4. Upon information and belief, I personally selected the DuPont Products for experimental testing with my Invention before said DuPont Products were ever known or considered by anyone, including (employees, agents, and contractors of) DuPont to be used as medical protection sheeting. I personally had a confidential working relationship with DuPont and its employees, including DuPont employee Dr. John Barnes. Prior to the conception of my Invention, Dr. Barnes and I worked on various engineering projects and developments. After the conception of my Invention, I obtained the assistance of Dr. Barnes and the National Physical Laboratory in Great Britain ("NPL") for confidential experimental testing of the properties of static and dynamic coefficients of friction of the DuPont Products. The testing was performed without disclosing the purpose of the testing or the nature of my Invention to the NPL. The services obtained and provided by Dr. Barnes were through an oral and confidential agreement.

5. I have no personal knowledge that the DuPont Products were known to be used as medical protection sheeting prior to my conception of the Invention.

6. In response to an Office Action having a mailing date of November 14, 2008 in the '752 Application requesting the names of any products or services that have incorporated the claimed subject matter, I am not aware of any products or services that have incorporated the claimed subject matter except for the products and services provided subsequent to the Priority Date by APA Parafricta Limited, the assignee of the '752 Application.

7. In response to an Office Action having a mailing date of November 14, 2008 in the '752 Application requesting any and all documentation that I am aware of regarding DuPont's development and prior use of the DuPont Products, I am not aware of any documents regarding DuPont's development and prior use of the DuPont Products.

8. In response to an Office Action having a mailing date of November 14, 2008 in the '752 Application requesting any and all known documentation of Applicant's agreements with DuPont regarding Applicant's agreements with DuPont to perform testing for the preferred use of the DuPont Products, other than the oral and confidential agreement with Dr. Barnes outlined in paragraph 4, I am not aware of any documents regarding agreements with DuPont concerning Applicant's agreements with DuPont to perform testing for the preferred use of the DuPont Products.

9. In response to an Office Action having a mailing date of November 14, 2008 in the '752 Application requesting any and all known documentation of Applicant's and/or DuPont common testing under the Agreement with DuPont performed for the preferred use of the materials identified as the DuPont Products, other than the data provided in the specification and claims of the '752 Application, I am not aware of any known documentation regarding Applicant's and/or DuPont common testing outside of the oral and confidential agreement I had with Dr. Barnes outlined in paragraph 4.

10. In response to an Office Action having a mailing date of November 14, 2008 in the '752 Application requesting any and all known documentation that set forth facts that support Applicant's argument that the materials identified as the DuPont

Products in Applicant's specification were not commercially available prior to the priority date of the '752 Application, I am not aware of any known documentation that set forth facts that support Applicant's argument that the materials identified as the DuPont Products in Applicant's specification were not commercially available prior to the Priority Date of the '752 Application although, as stated in paragraph 5, I have no personal knowledge that the DuPont Products were known to be used as medical protection sheeting prior to my conception of the Invention.

11. In response to an Office Action having a mailing date of November 14, 2008 in the '752 Application requesting any and all known documentation that set forth facts that support Applicant's argument that the materials identified as the DuPont Products in Applicant's specification were not known to use the example materials as medical protection sheeting, I am not aware of any known documentation that set forth facts that support Applicant's argument that the materials identified as the DuPont Products in Applicant's specification were not known to use the example materials as medical protection sheeting.

12. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the instant application or any patent issued thereon.

Respectfully submitted,

Dated: 16 03 09



Anthony Bruce Pike
Technical Director,
APA Parafricta Limited